

Mark Sterk (R)
State Representative

4th District

1998 Legislative Session Update

Olympia address:

419 John L. O'Brien Bldg.
Olympia, WA 98504-0600
(360) 786-7984

Mailing address:

PO Box 40600
Olympia, WA 98504-0600

E-mail:

sterk_ma@leg.wa.gov

Committees:

- Education
- Law and Justice
(*vice chairman*)
- Transportation Policy
and Budget

Legislative Hotline:

1-800-562-6000



Dear friends,

We are now a few weeks into the 1998 legislative session. The 60-day session began Jan. 12 with a bang, as the House approved 25 bills that we easily passed last year but died in the Senate. Among those bills passed during the first day were a few of mine, including one that would make it easier to tell whether an identification card is official or fake.

The opening week of session was highlighted by a speech by United States Speaker of the House Newt Gingrich, as well as Gov. Gary Locke's annual State of the State address.

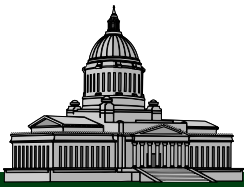
During these first weeks of session, I've spent much of my time in committee meetings listening to testimony on numerous bills. But we'll soon switch our attention to floor sessions. Feb. 6 is the cutoff date to have House bills passed out of House committees, and Feb. 10 is the deadline to have bills approved by House fiscal committees (Appropriations, Finance, and Transportation Policy and Budget). Feb. 17 is the deadline to have bills passed out of the House chamber. Then we'll begin the whole process again with Senate bills. The last day of session is scheduled for March 12.

This newsletter covers some of the key issues being addressed this session, as well as legislation that I have prime-sponsored.

If you have questions, comments or concerns about any of the issues being addressed by the Legislature this year, or if you need help in dealing with state government, please contact me by phone, mail or e-mail. I look forward to hearing from you.

Sincerely,

Mark Sterk



4th District

1998 Legislative



Supplemental budget: What to do with \$860 million surplus?

As usual, one of the most important issues facing the Legislature in a “short” session is approving a supplemental operating budget for the state. The main purpose of a supplemental budget is to correct problems in spending for state services that have developed since the passage and implementation last year of a two-year budget. Republicans are using a prudent approach in writing the supplemental budget. Criteria have been developed for supplemental budget requests. A budget request will be funded if it is an unanticipated, unmanageable change in an entitlement program workload or caseload; it corrects a serious technical error in the original appropriation; it deals with an emergency; or it addresses an opportunity that will not be available during the next biennium.

The Legislature has a nice problem on its hands: What to do with a state budget surplus that is \$860 million and growing? The surplus resulted from a strong, diversified economy and a responsible spending policy established by the Legislature. Unlike past years in which legislators were faced with unpleasant decisions like whether to cut state services or raise taxes, we now are in a position to decide whether to increase spending in certain needed areas, place more money in reserve, or provide tax cuts.

Expect the Legislature to put at least \$500 million into a reserve that would be used in case the state encounters a decline in revenue caused by an economic downturn. It's important to have a sizable amount in reserve because, as recent state history has shown, good economic times often are followed by an economic downturn.

It's also likely that the governor and legislators will agree on several targeted tax cuts to help further boost Washington's economy.



Republicans oppose a gas tax increase

While state lawmakers debate how to come up with a long-term transportation funding solution, one thing has been established: It won't include a gas tax increase. Republicans made this vow weeks before



Most Republicans want to avoid raising the gas tax to fund needed transportation projects.

session. Other funding sources should first be utilized before resorting to a gas tax increase. One concept that many favor is shifting the portion of the MVET revenue that goes to the state general fund (about \$370 million) toward a transportation account for roads and highways. The results of an audit of the Department of Transportation should be available sometime in February. From this audit we hope to find more spending efficiencies for DOT.

As a member of the House Transportation Policy and Budget Committee, one of my priorities will be to help secure funding for the Evergreen Interchange off I-90.



License tab fees likely to be lowered

If you own an automobile, there is good news: Your vehicle license tab fees likely will be reduced. The Legislature and the governor agree that the Motor Vehicle Excise Tax (which you pay when you renew your license tab fees each year) should be lowered. The only question is how much to cut the MVET. Both Republicans and the governor have introduced their own proposals. We will know by the end of session which route we will take to provide relief for vehicle owners.

Session Update

Rep. Mark Sterk (R)



Several bills proposed to battle drunk driving

Fighting drunk driving has become one of the most important issues for legislators this session. In 1996, 331 people died on state roads in accidents that involved alcohol. Clearly, current laws have not done enough to keep drivers and passengers safe from drunk drivers.



In 1996, 331 people died on state roads in accidents involving alcohol.

Several bills have been introduced to combat drunk driving. These include:

- Lowering the illegal blood alcohol content (BAC) level from 0.10 percent to 0.08 percent.
- Authorizing impoundment of vehicles operated by individuals with a suspended or revoked driver's license and a seizure of vehicles of repeat DUI offenders whenever a driver violates DUI laws.
- Requiring a motorist's driver's license to be suspended for 90 days without exception for a first DUI conviction.
- Substantially increasing fines and jail time for people convicted of DUI. The maximum penalty would be one year in prison, a \$2,000 fine and permanent license revocation for a person convicted of DUI who has two or more DUIs within seven years.

- Increasing the sentence of someone convicted of DUI if that person has prior DUIs.

One measure that I'm prime-sponsoring (HB 2327) would increase the seriousness level of drunk driving, resulting in a third conviction for DUI becoming a felony.

Other bills that I'm prime-sponsoring...

Domestic violence - This crime continues to plague our society, despite efforts in recent years to reduce it. Over the past several months, I've worked with local prosecutors and law enforcement officials in crafting a bill that would effectively battle domestic violence. House Bill 2325, which was referred to the House Law and Justice Committee, includes the following provisions:

- Add all domestic violence felony offenders to the list of convicted offenders who may not be released while awaiting sentencing or the outcome of an appeal.
- Provide for issuance of a no-bail arrest warrant for an accused domestic violence offender who is alleged to have violated a condition of release pending trial.
- Amend the Sentencing Reform Act (SRA) to require the court to sentence felony domestic violence offenders to one year of community placement following release from confinement.
- Amend the SRA to allow prior misdemeanor domestic violence offenses to count as criminal history in determining an offender's score for a current felony domestic violence conviction.



Rep. Sterk testifies on one of his bills before a House committee.

"Good faith" search warrants - In some instances, evidence of a crime is excluded from admission at a trial because it was illegally collected. The illegality may be the result of a technicality instead of a lack of good faith on the part of the collecting police officer.

HB 2347 would prohibit the suppression of evidence in both searches with a warrant and warrantless arrests and searches if law enforcement officers collecting the evidence did so in good faith and they were doing so legally, even if the evidence was subsequently ruled as being illegally collected.

Boating under the influence - At a time when lawmakers are trying to toughen laws against drinking and driving, it makes sense to seek a law to prohibit drinking and operating a boat. HB 2623 would make it illegal to operate a boat if the operator has a BAC level of 0.10 or higher. Under current law, if you're arrested for drinking and operating a boat, you can't be required to take a breathalyzer test. Under this proposal, the driver of a boat would be required to take a breathalyzer test. Failure to take this test would result in an additional misdemeanor charge against the defendant.

Transit authority funding of local road improvements - Under HB 2105, the Spokane Transit Authority Board would be allowed to vote on whether it can work with the City of Spokane and Spokane County on transportation needs. With approval of the STA Board, one-half of 1 percent of STA's reserve account could be used to repair our roads in Spokane and Spokane County. This amounts to \$500,000 out of what is a current reserve account of \$30 million or more. I introduced this bill last year. After passing the House, it died in the Senate.

Extending training hours for law enforcement officers -

Under HB 2458, the length of training for law enforcement trainees would be increased from 440 hours to 720 hours. We will be seeking additional funding in the supplemental budget to accomplish this training.

Listen in on the Legislature

Any citizen with a computer with sound system and access to the Internet can listen to all deliberations of the Legislature live. The deliberations are also stored for later access on demand. This service is free and is provided by TVW, the statewide non-profit television network which is the equivalent of C-SPAN at the national level. Just visit TVW's web site at www.tvw.org. The software required — RealAudio — is also free and can be downloaded over the Internet from www.real.com.